

1 BILL NO. S-84-05-04

2 SPECIAL ORDINANCE NO. S-

59-84

3 AN ORDINANCE ratifying a certain
4 contract by the City of Fort
5 Wayne by and through its Depart-
6 ment of Animal Control with the
7 Emergency Animal Clinic for pro-
8 viding spay-neuter services.

9 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
10 THE CITY OF FORT WAYNE, INDIANA:

11 SECTION 1. That the contract, between the City of Fort
12 Wayne, Indiana, by and through its Department of Animal Control
13 with the Emergency Animal Clinic, for:

14 providing low cost spay-neuter
15 services for the City for the
16 period May 1, 1984, through
17 April 30, 1985;

18 involving unit costs as specified in the contract. The costs
19 under this contract shall be paid from the Animal Control Budget,
20 all as more particularly set forth in said contract, which is
21 attached hereto, and is by reference incorporated herein, made
22 a part hereof, and is hereby in all things ratified, confirmed
23 and approved.

24 SECTION 2. That this Ordinance shall be in full force
25 and effect from and after its passage, and any and all necessary
26 approval by the Mayor.

27 Janet G. Bradbury
28 Councilmember

29 APPROVED AS TO FORM
30 AND LEGALITY

31 Bruce O. Boxberger
32 Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Bradbury, seconded by Jim Quanta, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.

DATE: 5-15-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Jim Quanta, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>9</u> | _____ | _____ | _____ | _____ |
| <u>BRADBURY</u> | <u>/</u> | _____ | _____ | _____ | _____ |
| <u>BURNS</u> | <u>/</u> | _____ | _____ | _____ | _____ |
| <u>EISBART</u> | <u>/</u> | _____ | _____ | _____ | _____ |
| <u>GIAQUINTA</u> | <u>/</u> | _____ | _____ | _____ | _____ |
| <u>HENRY</u> | <u>/</u> | _____ | _____ | _____ | _____ |
| <u>REDD</u> | <u>/</u> | _____ | _____ | _____ | _____ |
| <u>SCHMIDT</u> | <u>/</u> | _____ | _____ | _____ | _____ |
| <u>STIER</u> | <u>/</u> | _____ | _____ | _____ | _____ |
| <u>TALARICO</u> | <u>/</u> | _____ | _____ | _____ | _____ |

DATE: 5-22-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. S-59-84

on the 22nd day of May, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy

Ray A. Ebert

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1984, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 23rd day of May, 1984, at the hour of 3 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

MUNICIPALLY FUNDED LOW COST
SPAY/NEUTER CLINIC AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 1984, by and between the City of Fort Wayne, through its Animal Control Commission, hereinafter referred to as City, and Emergency Animal Clinic, 1313 Broadway, Fort Wayne, Indiana, hereinafter referred to as EAC.

W I T N E S S E T H :

WHEREAS, in August of 1982 the Common Council authorized the establishment of a Municipally Funded Low Cost Spay/Neuter Clinic and Council then requested the formation of a committee that would suggest the best approach with respect to the commencement of the Clinic's operations;

WHEREAS, the Committee has made its recommendations and this Agreement encompasses same.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. EAC hereby agrees to operate a Spay/Neuter Clinic and the City agrees to provide funding for same, all pursuant to the terms and conditions hereof.

2. The Spay/Neuter Clinic shall be operated by EAC at 1313 Broadway, Fort Wayne, Indiana as follows: from 7:00 A.M. to 5:00 P.M. Tuesday through Friday and 7:00 A.M. to Noon on Saturdays and by appointments as agreed to by EAC.

3. All persons bringing an animal to the Clinic to be altered will be required to sign a release of liability form, releasing the City and EAC, before any surgery is performed.

Also, vaccinations will be required for surgery unless individual signs a release form absolving the City and EAC of liability to perform a surgery without the required vaccination. Individuals will be charged as follows:

- A. City resident: dog or cat OVH - Twenty Dollars (\$20.00); dog or cat castration - Fifteen Dollars (\$15.00).
- B. Non-City residents: dog or cat OVH - Twenty-Five Dollars (\$25.00); and dog or cat castration - Twenty Dollars (\$20.00).
- C. In addition, all individuals will be charged Five Dollars (\$5.00) for each twenty-four hours (24) for any animals kept after clinic hours.

In addition to the services to be performed in this paragraph 3, tattooing will be done at no extra cost on all dogs and the City will provide the necessary forms and a record keeping system for same.

4. Two (2) registered veterinary technicians will be hired by the EAC to assist with the surgeries hereunder and the City will pay the EAC the sum of Two Thousand Dollars (\$2,000.00) per month to cover the costs of these two technicians. Furthermore, the EAC will be paid by the City for the period or periods that a veterinarian is on duty performing surgery hereunder or immediate post operative care at the rate of Fifteen Dollars (\$15.00) an hour.

The City will also pay EAC an amount, not to exceed Five Hundred Dollars (\$500.00) to provide a part-time receptionist to avoid the use of technicians for clerical duties.

In addition, the City will pay EAC the sum of Fourteen Hundred Dollars (\$1,400.00) per month to cover expenses of EAC such as rent, equipment replacements, one-half of maintenance and repairs, utilities, a phone line with yellow page listing, and one-half of insurance costs.

Furthermore, the City will pay EAC the sum of Four Dollars and Seventy Cents (\$4.70) per procedure performed hereunder to cover disposable costs.

5. To facilitate the operations hereunder the City has paid for the purchase of one-half of the necessary equipment to be used in the Spay/Neuter Clinic. The City has also paid for remodeling costs in the sum of Six Thousand Dollars (\$6,000.00) for a ward and inside runs to house up to twenty (20) animals.

6. EAC will provide a weekly report to the executive director of the City Animal Control Department with respect to services provided hereunder. A health card with the identification number of each animal neutered shall, also be provided by EAC to the City Animal Control Department for follow up and record keeping purposes. In addition, the City shall have the right to inspect and/or request any and all other records of EAC associated with the performance of this Agreement.

The Executive Director of the City Animal Control Department shall compile all information received and make a monthly report to the Animal Control Commission.

A copy of all reports dealing with the financial operations of EAC hereunder shall also be provided to the City Controller.

7. All income generated from the operation of the Clinic hereunder, except for board charges, will be paid to the Civil City of Fort Wayne in intervals as determined appropriate by the City Controller.

8. This Agreement shall be in full force and effect for a period of one year from date hereunder. After the one-year period, this Agreement may be renewed upon mutual Agreement of the parties hereto.

9. All work to be performed by EAC and its personnel and contractors shall be done in a professional manner and EAC may not assign this Agreement or any part hereof.

10. EAC represents and warrants that it has full and complete authority to enter into this Agreement.

11. The equipment purchased hereunder by the City shall be the property of the City for a period of six (6) years. Thus, if this Agreement is not in effect for at least six (6) years (through renewals or otherwise), then upon termination of the Agreement before the end of six (6) years, all equipment purchased by the City shall be returned to the City. If this

Agreement is in effect, by renewal or otherwise, for longer than six (6) years from date hereof, then title to such equipment purchased by the City shall pass to EAC. The EAC shall not encumber or pledge such equipment as purchased by the City for a period of six (6) years from date hereof and all of such equipment shall be kept at the Clinic's operations.

Remodeling costs paid by the City hereunder shall be repaid to the City by EAC as follows: If this Agreement is not renewed by the EAC after the initial one (1) year period then the entire Six Thousand Dollars (\$6,000.00) shall be repaid to the City in monthly installments of One Hundred Dollars (\$100.00) each and every month until paid in full. If the Agreement is renewed after the one (1) year term then for each such year of renewal the amount to be repaid by the EAC to the City shall be reduced by One Thousand Dollars (\$1,000.00) and upon termination by the EAC shall be repayable by the EAC to the City in One Hundred Dollars (\$100.00) monthly installments.

13. This Agreement shall be construed in accordance with and is subject to the laws of the State of Indiana and any action of Council necessary for appropriation and payment of sums by the City hereunder.

IN WITNESS WHEREOF, this Agreement has been signed and made effective, this _____ day of _____, 1984 first above written.

CITY OF FORT WAYNE

EAC

WINFIELD C. MOSES, JR., MAYOR

ANIMAL CONTROL COMMISSION

PRESIDENT, DAVID AVERY

THIS AGREEMENT APPROVED AS
TO FORM AND LEGALITY

BRUCE O. BOXBERGER,
CITY ATTORNEY

BILL NO. S-84-05-04

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE ratifying a certain contract by the City of Fort Wayne
by and through its Department of Animal Control with the Emergency
Animal Clinic for providing spay-neuter services

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN

Janet G. Bradbury

SAMUEL J. TALARICO, VICE CHAIRMAN

CHARLES B. REDD

Charles B. Redd

MARK E. GIAQUINTA

Mark E. Giaquinta

JAMES S. STIER

James S. Stier

CONCURRED IN

5-22-84
SANDRA E. KENNEDY, CITY CLERK

DIGEST SHEETTITLE OF ORDINANCE Ordinance Approving ContractDEPARTMENT REQUESTING ORDINANCE Animal Control

1-84-05-04

SYNOPSIS OF ORDINANCE This ordinance approves and ratifies a contract with the Emergency Animal Clinic to provide spay/neuter services for the period May 1, 1984 to April 30, 1985. All conditions are the same as the contract it extends except for the provision of that an amount, not to exceed \$500 per month shall be paid to the EAC to provide the services of a part-time receptionist to handle spay/neuter matters. The Animal Control Commission has approved this contract.

EFFECT OF PASSAGE provides for low-cost spay/neuter services for the next year and a reduction of unwanted animals within the City.

EFFECT OF NON-PASSAGE eliminates the low-cost spay/neuter service for the next year

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____